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EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

NOTIFICATIONS

CUSTOMS

New Delhi, the 11th July 1966

G.S.R. 1098.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby directs that the goods specified in the Schedule hereunder shall be exempted from the duty of customs leviable thereon under the Second Schedule to the Indian Tariff Act, 1934 (32 of 1934) subject to the following conditions, namely:—

(a) that the goods are sought to be exported under valid contracts with their sale price expressed in foreign currency entered into on or before the 5th June, 1966;

(b) that the exporter had entered into a forward contract with a bank authorised to deal in foreign exchange in India, for the sale of foreign exchange proceeds of goods exported under the contracts referred to in condition (a) on or before the 5th June, 1966;

(c) that the Authorised Dealer in foreign exchange certifies that the exporter has entered into a forward contract with him on or before the 5th June, 1966, for the sale of foreign exchange representing the proceeds of goods to be exported and that the rate at which the forward contract was entered into was on the basis of the rate of exchange then current;

(d) that the exporter has agreed to deliver to the said Authorised Dealer the bills of exchange drawn in respect of the aforesaid export in fulfilment of the forward contract for the sale of foreign exchange entered into with the Authorised Dealer;

(e) that the goods are exported on or before the 31st October, 1966; and

(f) that the exporter executes such bond or guarantee or both as the Collector of Customs may require him to execute in this behalf;

Provided that nothing contained in this notification shall apply unless—

(i) the exporter declares to the Collector of Customs on or before the 23*rd July*, 1966, the balance outstanding against the forward sales or foreign exchange made to Authorised Dealers in respect of the aforesaid contracts as on the 5th June, 1966;

(ii) the exporter produces to the Collector of Customs the ralative contract for the sale of the goods as well as the purchase/sale note governing the transaction in forward exchange with the bank, for registration simultaneously with the declaration mentioned in clause (i) above;

(iii) the said Collector of Customs after examination of the said contracts and such other evidence, as he might call upon the exporter to produce before him in this behalf, registers the contracts and returns the original contracts certifying that these have been accepted as valid contracts for the purpose of condition (a) and clause (ii) herein above;

(iv) the value of the goods to be exported by him under the provisions of this notification does not exceed the balance referred to in the foregoing clause (i);

(v) the amount of export duty is not sought to be otherwise added to the price of the goods; and

(vi) the Authorised Dealer files with the Collector of Customs a declaration in the form annexed hereto.

2. This notification shall be deemed to have come into force on the 6th June, 1966.

THE SCHEDULE

1. Cotton waste (all sorts).
2. Tea.
3. Black pepper.
4. Raw wool.
5. Coffee.
6. De-oiled groundnut oilcake.
7. De-oiled groundnut meal.
8. Tobacco, unmanufactured.
9. Mica, all sorts.
10. Hides, skins and leather, tanned and untanned, all sorts, but not including manufactures of leather.
11. Coir and coir manufactures.

Form of Declaration

I, ..., holding the post of ..... am authorised by ..... (hereinafter referred to as the "Said Authorised Dealers"), to make the following declaration, *viz.*

(a) That M/s. ..... (hereinafter referred to as "the Exporters") entered into forward contract(s) with the said Authorised Dealers for the sale of foreign exchange amounting to ..... and representing proceeds of goods to be exported.

(b) That the contract(a) referred to in clause (a) was/were entered into on the 5th June, 1966 or on a date/on various dates, before the 5th June, 1966—the date(s) on which the contract(s) was/were entered into being the following:—

.....

(c) That the Exporters have agreed to deliver the said Authorised Dealers bills of exchange in respect of the amount mentioned in clause (a) in fulfilment of forward contract(s) mentioned in clause (a) and (b).

(d) That the Exporters have further agreed that the bills of exchange referred to in clause (c) will be only against the ..... goods to be exported by the Exporters.

(e) That the rate at which the said Authorised Dealers agreed to purchase the amount mentioned in clauses (a) and (b) was/were the following:—

.....

(f) That the Exporters have further authorised the said Authorised Dealers to declare to the Collector of Customs ..... and I do, therefore, hereby declare that (i) against the amount mentioned in clause (a) no Bills of exchange will be accepted from the Exporters against export of goods other than ....., unless the Exporters furnish the permission in writing granted by the Collector of Customs in favour of the said Authorised Dealers, to do so; and (ii) that the Authorise Dealers will not agree to revoke any part or whole of any of the contracts mentioned in clause (b), unless the Exporters furnish to them the permission in writing from the Collector of Customs to do so.

(g) That the information furnished hereinabove is true to the best of my knowledge and belief and is based on the records maintained in the normal course of business by the said Authorised Dealers.

Signature of the person making the declaration

Date .....

[No. 147/F. No. 21/22/66-Cus. I.]

G.S.R. 1099.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts teased fibre made out of old gunny bags and cuttings, Jute caddies, and Jute waste falling under Item No. 2 of the Second Schedule to the Indian Tariff Act, 1934 (32 of 1934), when exported, from so much of the duty of customs leviable thereon under the said Second Schedule as is in excess of the duty leviable at the rate of 20 per cent *ad valorem*:

Provided that the Assistant Collector of Customs is satisfied that the teased fibre, Jute Caddies and Jute waste are useless for any purpose to which cloth or rope or bag is ordinarily put.

2. This notification shall be deemed to have come into force on the 6th day of June, 1966.

[No. 148/F. No. 6/31/66-Cus. I.]

D. N. LAL, Dy. Secy.

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